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October 28, 2015

VIA ECF

Hon. Paul G. Gardephe
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *State-Boston Retirement System v. Bank of Nova Scotia, et al., 1:15-cv-05794, and Related Cases*

Dear Judge Gardephe:

We represent Defendant Goldman, Sachs & Co. in the above-referenced actions and write on behalf of all Defendants concerning the consolidation order the Court filed on September 3, 2015 in the above-captioned docket (No. 124, "the Order") and the Court's October 21, 2015 request for the parties' positions as to consolidation in case No. 1:15-cv-07642, *New Jersey Laborers Statewide Funds v. Bank of Nova Scotia, et al.*; case No. 1:15-cv-07688, *City of Providence v. Bank of Nova Scotia, et al.*; and case No. 1:15-cv-07735, *Corbett v. Bank of America Corp., et al.*

We also note that there are currently four additional cases that have been filed in this District that are clearly related to the cases consolidated pursuant to the Order:

1. No. 1:15-cv-07631, *Central Laborers' Pension Fund v. Bank of Nova Scotia, et al.* ("Central Laborers");
2. No. 1:15-cv-05939, *Laborers' Local 231 Pension Fund v. Bank of Nova Scotia, et al.* ("Laborers' Local 231");
3. No. 1:15-cv-08149, *Oklahoma Police Pension and Retirement System v. Bank of Nova Scotia, et al.* ("Oklahoma"); and
4. No. 1:15-cv-08287, *Air Conditioning and Refrigeration Industry and Retirement Trust v. Bank of Nova Scotia, et al.* ("Air Conditioning").

Although *Central Laborers* was referred to Judge Oetken because the plaintiff in that case did not designate the matter as related, plaintiff's counsel in *Central Laborers* has informed Defendants that plaintiff will be submitting a letter requesting reassignment. The *Laborers' Local 231* plaintiff inadvertently misfiled its complaint on October 5th as document number 158 in the docket of *Inter-Local Pension Fund Graphic Communications Conference of the International Brotherhood of Teamsters v. Bank of Nova Scotia*, No. 1:15-cv-05939, but has requested that the complaint be refiled as an original complaint and designated as related. See No. 1:15-cv-05939, ECF. No. 164. *Oklahoma* (filed October 15) and *Air Conditioning* (filed October 21) have been assigned to this Court and have been designated as possibly related to the already-consolidated cases. Plaintiffs' counsel in all of the actions filed in this



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District support consolidation with the cases addressed in the Order, and Defendants do not oppose such consolidation.

We note as well as an update on the proceeding before the Judicial Panel on Multidistrict Litigation ("JPML") that the hearing before the JPML has been set for December 3, 2015.

Respectfully submitted,

s/Robert Y. Sperling
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cc: All counsel (via ECF)